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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	NO. CR 93-0373 MAG
)	
Plaintiff,)	STIPULATION AND PROPOSED ORDER TO
)	RESET HEARING
v.)	
)	
BENNIE HATTLEY,)	
)	
Defendant.)	
)	
)	

Bennie Hattley is currently scheduled to next appear before this Court for status regarding a probation violation on Tuesday, September 8, 2015. Based on the reasons set forth herein, the parties request that the matter be rescheduled to September 18, 2015.

Mr. Hattley's appearance before the Court is based on a bench warrant issued decades ago stemming from a non-appearance in Court post-sentencing and near the end of Mr. Hattley's imposed probation term. The warrant was not entered into the system, and as a result, despite several contacts with state authorities relating to state court matters, he was never advised of the outstanding warrant and the warrant was never executed. Significantly, Mr. Hattley successfully completed a three-year term of

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1 state supervision in or about 2013. Thus, any remaining federal probation time would easily have been
 2 successfully completed during this time as well. For these reasons, the parties seek to put this matter
 3 over until Friday, September 18, 2015, at 9:30 a.m., to work with the U.S. Probation Office to try and
 4 resolve this case. Additionally, Mr. Hattley suffers from multiple health issues which make appearing in
 5 Court more difficult than the average defendant. While we are working toward a possible resolution, we
 6 would like to keep appearances for Mr. Hattley to a minimum. The Probation Office has no objection
 7 and the government has confirmed that the Probation Officer is available on September 18, 2015.

8 Accordingly, the parties ask that the matter be removed from the Court's calendar on September
 9 8, 2015, and reset for September 18, 2015.

10 DATED: September 4, 2015

Respectfully submitted,

12 /s/ Brigid Martin

13 BRIGID S. MARTIN
 14 Assistant United States Attorney

15 /s/ Joyce Leavitt

16 JOYCE LEAVITT
 17 Counsel for Mr. Hattley

18 ~~PROPOSED~~ ORDER

19 Based on the representation of the parties and joint request to reset this matter, IT IS HEREBY
 20 ORDERED that the matter is VACATED on September 8, 2015, and RESET before the Duty
 21 Magistrate Judge, the Honorable Kandis A. Westmore, on September 18, 2015, at 9:30 a.m. for further
 22 status or resolution of the probation violation.

23 Kandis Westmore

24 HON. KANDIS A. WESTMORE
 25 United States Magistrate Judge

26 DATED: 9/4, 2015